



MICHIGAN ORGAN & TISSUE DONATION PROGRAM



A Donate Life Organization

House Bill 4938 seeks to ensure that all organs and tissues viable for transplantation are recovered, thereby saving and enhancing lives in our state. Medical examiners play an important role in the donation process. These professionals have traditionally worked with Gift of Life, the federally designated organ and tissue recovery organization in Michigan, to encourage donation, even in challenging criminal cases.

- The legislation will strengthen the donor registry and ensure that donor wishes are fulfilled. In 2003, Michigan passed "first person consent" legislation, making a resident's wish to become an organ and tissue donor non-revocable after death. With passage of this legislation, a resident and their family's expressed desire to donate cannot be overturned by medical personnel.

- All cases must be permitted to proceed to donation. Currently, Gift of Life Michigan, by federal regulation, must follow all potential organ donor cases from the moment they are reported by a hospital. The time and effort involved in evaluating these cases and working with grieving families is extensive. A medical examiner refusal of a case negates several days' work and preparation, not only in identifying recipients for the organs, but in psychologically preparing families for the donation. Ultimately, the federal government, through the Medicare program, absorbs the financial burden for these unconcluded cases, and the families are often desolate when told of the denial.

- Denial of viable organs for transplant puts those on the waiting list at great risk. From 1999-2004, a total of 75 organs were refused by Michigan medical examiners for transplant, 57 of which were heart, liver and lung denials. A retroactive review of the patients who could have received those specific organs revealed that the mortality rate for this group (14%) was double that of the national average during this time period (7.4%). On the waiting list, there are only a few opportunities to receive an organ – sometimes, only one chance – and every denial potentially has devastating results for any of the 2,700 Michigan residents currently waiting for a life-saving transplant in Michigan.

- There is no cost involved for Michigan medical examiners to implement this legislation. Gift of Life stands to reimburse medical examiner offices for any costs associated with reporting and tracking potential organ and tissue cases.

- There is precedent and evidence of success for this type of legislation. Similar legislation regarding medical examiners exists in New Jersey, New York, Tennessee and Texas. Furthermore, a 2003 study of these states after implementation of this policy summarized that "an exhaustive case law review revealed **no instance** in which a state was unable to adequately investigate a crime or to prosecute a criminal defendant because necessary evidence had been altered by organ donation." (Shafer, T. et.al. *Vital Role of Medical Examiners and Coroners in Organ Transplantation*. American Journal of Transplantation 2003; 4: 160-168)

Passage of this proven, effective legislation will help ensure that every effort is given, across the entire medical spectrum, to save more lives through organ transplantation.

June 28, 2005

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GIVE SO OTHERS CAN LIVE

**Michigan Patients Currently Waiting For a Transplant
June 1, 2005**

Kidney	2075
Liver	390
Lung	73
Kidney/Pancreas	69
Heart	50
Pancreas	47
Kidney/Liver	3
Kidney/Heart	1
TOTAL	2708

Year-to-Date:

Received an organ transplant: 279
Died Waiting for a transplant: 54

*Every day hundreds of people in our state are in need of other tissues
such as heart valves, veins, tendons, bone, and corneas
in order to survive or maintain their quality of life.*

**Sign the Gift of Life Organ, Tissue, & Eye Donor Registry
and**

Give So Others Can Live

Register online at giftoflifemichigan.org or call 800.482.4881